

HOUSE BILL NO. 565

INTRODUCED BY FUREY, FLEMING, ROBERTS, HAWKS, LARSEN, SHOCKLEY, STEINBEISSER, ZINKE

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MONTANA VETERANS SUPPLEMENTAL HEALTH INSURANCE PROGRAM TO PROVIDE STATE PAYMENT OF PREMIUMS ~~AND OTHER COSTS FOR 6 MONTHS THAT WOULD OTHERWISE BE~~ PAYABLE BY MONTANA VETERANS UNDER THE FEDERAL TRICARE RESERVE SELECT PROGRAM; AMENDING SECTION 10-1-102, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definition.** As used in [sections 1 through 3], "TRICARE reserve select" means the premium-based health plan that qualified national guard and U.S. reserve members may participate in pursuant to 10 U.S.C. 1076d.

NEW SECTION. **Section 2. Montana veterans supplemental health insurance program.** (1) The department, in cooperation with the board, shall establish and administer a Montana veterans supplemental health insurance program in accordance with the provisions of [sections 1 through 3].

(2) The program must provide for the state to pay or reimburse ~~any enrollment fees, premiums, deductibles, cost-sharing expenses, copayments, or other expenses that would otherwise have to~~ FOR 6 MONTHS THAT WOULD OTHERWISE be paid by an eligible Montana veteran for individual or family coverage under TRICARE reserve select.

(3) State payments pursuant to this section may be made directly to the TRICARE reserve select program or to the veteran.

(4) Nothing in this section may be interpreted to require state payment of any expenses for services not covered by TRICARE reserve select.

NEW SECTION. **Section 3. Eligibility.** To be eligible to participate in the Montana veterans supplemental health insurance program provided in [sections 1 through 3], an individual must be:

(1) a veteran, as defined in 39-29-101;

- (2) a resident, as defined in 15-30-101;
- (3) an active member of the national guard or a unit of the U.S. reserves; and
- (4) enrolled in TRICARE reserve select ON OR AFTER JULY 1, 2009.

Section 4. Section 10-1-102, MCA, is amended to read:

"10-1-102. Powers and duties of department of military affairs. Under the direction of the governor, the department shall:

- (1) keep a roster of all officers and enlisted persons of the militia of this state whether active, inactive, or retired;
- (2) supervise, administer, and coordinate civil defense and disaster control activities;
- (3) recruit, mobilize, administer, train, discipline, equip, and supply the organized militia;
- (4) maintain the archives and keep the records and documents required by law or regulation to be filed with the United States department of defense;
- (5) establish and maintain the headquarters required for the militia;
- (6) establish and administer the Montana veterans supplemental health insurance program provided for in [sections 1 through 3];
- ~~(6)(7)~~ exercise the powers vested in it and perform any other duty and function required of it by the governor and by federal and state laws and regulations."

NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 10, chapter 2, and the provisions of Title 10, chapter 2, apply to [sections 1 through 3].

NEW SECTION. **Section 6. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 7. Contingent voidness.** If money is not appropriated to the department of military affairs by the 61st legislature to implement the provisions of [this act], then [this act] is void.

NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2009.

1 NEW SECTION. Section 9. Applicability. [This act] applies to ~~enrollment fees, premiums, deductibles,~~
2 ~~cost-sharing expenses, copayments, or other expenses~~ PREMIUMS payable by an eligible TRICARE reserve select
3 participant on and after July 1, 2009.

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